

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHVETA KAKAR KURTZ, DANIEL L. KURTZ, and  
A.K., *a minor child*,

Plaintiffs,

-v-

DR. MARIE LUPICA, *as treating physician and state actor operating under color of law* and NEW YORK PRESBYTERIAN HOSPITAL/WEILL-CORNELL MEDICAL CENTER,

20 Civ. 3401 (PAE)

ORDER

Defendants.

PAUL A. ENGELMAYER, District Judge:

The Court has been contacted by a juror in the recent trial, in which the jury returned a prompt verdict for the defense. The juror reports that plaintiffs' counsel has repeatedly contacted him—on his work email; on his personal email; and on his home telephone, with calls on the home telephone coming on both a Friday evening and the ensuing Saturday morning. The juror reports that he regards counsel's repeated entreaties for information about the bases for the jury's verdict as harassing. The juror asks that it stop. The juror reports that he communicated this to plaintiffs' counsel on the latter of the two phone calls. The juror reports that he took this action after his decision not to respond to counsel's emails and initial phone call proved unsuccessful as a means to deter counsel from attempting to make contact.

A juror has every right to decline to speak with counsel. And it should go without saying that repeated calls by losing counsel to a non-responsive juror on an evening and during the weekend are apt to be viewed as unwelcome. The Court expects that counsel will cease

attempting, by any means, to contact the juror, and proceed in future cases with greater solicitude for jurors' serenity.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

Dated: August 7, 2023  
New York, New York